

Regular Meeting City Council Thursday Sept 7/05

Council Chamber, City Hall
El Paso, Texas, Sept 7/05.

City Council met in regular session at 8 o'clock p.m. on above day and date with Mayor Davis presiding and the following aldermen answering to roll-call: Boddy, Coples, Jewel, Grant, Hammert, Hill, Cook, Absent Rond.

The minutes of the last meeting were read and approved.

Street & Grade Committee

Petition Chairman Jewel, to whom was referred the petition of A.P. Coles, recommended that the petition be granted. The petition reads as follows:

A.P. Coles Excavate under side walk on St Louis St To the Hon. Mayor & City Council

El Paso, Texas, Aug. 31, 1905

St

I hereby make application for permit to excavate under the sidewalk in front of the building I am erecting on St. Louis St in Block 4½ Miles. Your immediate attention to this will greatly oblige. Very respectfully yours,

(Signed) A. P. Coles.

On motion the recommendation of the chairman was ordered carried out.

Petition

Samuel Schutz

underside

walk on

San Francisco

st

To the Hon. Mayor & City Council
of El Paso, Texas.

Gentlemen -

I desire your permission to excavate under the sidewalk in front of the store building I am now putting up. on the corner of San Francisco and Santa Fe Streets. The iron supports and the cement work to conform with the city regulations.

(Signed) Daniel Schutz

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On motion the recommendation was ordered carried out.

Chairman Jewel to whom was referred the following petition, stated and that same was receiving attention:

El Paso, Texas, Aug 30/05-

To the Hon. Mayor & City Council
of El Paso, Texas,

Gentlemen -

We, the undersigned property owners living on and upon Wyoming Street, between Brown St and Austin Ave, respectfully wish to call your attention to the disgraceful condition of said Wyoming St and do hereby respectfully beg of you to have the sand cleared from above named street so said street can again be used as a thoroughfare. We also petition you to have spring bles, sprinkee said street as far East as Austin Ave.

(Signed) M J. Doyle, et al.

Chairman Jewel to whom was referred the following petition recommended that the same be granted:

Petition
The H
Lesinsky Co
build spur
track on main
st to warehouse

State of Texas }
City of El Paso }

to the Hon. Mayor and City Council
of the City of El Paso,

Gentlemen -

Your petitioner, The H Lesinsky Co. respectfully represents: That it is now erecting a large warehouse on its premises at the northeast corner of Fractional Block No 27 of the City of El Paso, El Paso County, Texas, as said block is shown on the map of said city, made by Ainsworth Miller, to be used in connection with its business now and for many years last past carried on in said city.

That to properly use said warehouse and to enable petitioner to more readily carry on its said business, it is necessary to con-

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struct and operate a spur or rail way track leading from the main track of the Galveston Harrisburg & San Antonio rail way company from a point on main street south of block no 48 of the City of El Paso as shown on the map aforesaid along the said street westerly to petitioners said premises and to a point on the westerly line of Santa Fe street.

That said main street is not a thoroughfare and the construction and operation of said spur will in no wise injure or depreciate property in its vicinity or inconvenience the public or any individual but will largely increase the facilities for the carrying on of the wholesale trade of the City.

Whereupon petitioners prays that the City of El Paso do grant it permission to construct and operate said spur.

signed The A Lesinsky Co

by S.J. Prudenthal - manager

On motion made and carried the recommendations were ordered carried out and the petition granted and referred to Ordinance Committee to draft ordinance

Police Committee

Report of Chairman Hitt submitted the following report of the Chief Police of Police for the month of July and recommended that it for July be received and filed. The report is as follows:

Total amount collected	<u>133 v. 70</u>
Commissions to D.M. Jackson	60. 27
" " H. Cobb	41. 50
Paid to Treasurer. (Receipt No. 1667 attached)	<u>1030. 93</u> \$ 113 v. 70

Ordinance Committee

Ordinance Chairman Cook submitted an Ordinance creating the office of Chief of Plumbing Inspector and to provide for the inspection of Plumbing and regulating House drainage Plumbing and plumbing and requiring bonds from plumbers, and Inspector recommended that it be adopted.

The Mayor ordered the vote upon the adoption of the ordinance to be taken by roll call, which when taken resulted as follows, Yeas, Badger, Caples, Fowl, Grant, Hammett, Hitt, Cook, and Rand. Nays None, absent none.

Whereupon Mayor Davis declared that a majority of the vote of the City Council having voted in favor of

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the ordinance the same be and is hereby adopted.

The ordinance above referred to is in words and figures as follows to wit:

Be it Ordained by the City Council of the City of El Paso:

Section 1

That there be and there is hereby created the office of Chief Plumbing Inspector of the City of El Paso and such officer shall be elected every two years at the same time that other City officers are elected by the City Council and he shall be elected by the City Council of the City of El Paso, in the same manner that other officers are elected, and shall hold his office for the term of two years and until his successor is elected and qualified.

Provided, That a Chief Plumbing Inspector shall be elected by the City Council as soon as practicable after the passage and approval of this ordinance and such officer shall hold his office only until the next quadrennial election of officers by the City Council and until his successor is elected and qualified.

Before entering upon the discharge of the duties of his office the Chief Plumbing Inspector shall take and subscribe the oath of office prescribed by the Constitution and shall enter into bond payable to the Mayor and his successors in office in the sum of one thousand dollars conditioned for the faithful performance of the duties of his office.

Section 2

It shall be the duty of the Chief Plumbing Inspector to inspect all sewerage and plumbing work done or performed in the City of El Paso, and to take such steps as may be necessary to enforce the observance of all ordinances of the City relating to plumbing, sewerage, and drainage, and to co-operate with the City Engineer and sewer Commissioner in relation thereto, and to do and perform such other duties as may be required of him by the City Council from time to time.

Section 3.

The Chief Plumbing Inspector shall be ex-officio gas inspector of the city of El Paso and as such shall receive no extra compensation. He shall perform as

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such gas inspector such duties as the City Council shall from time to time prescribe.

Section 4.

It shall be the duty of the gas inspector, when requested so to do, by any consumer of gas in the City of El Paso, to examine the meter of such consumer and to ascertain and report whether such meter properly measures the gas passing through the same.

Section 5.

Any plumber wishing to do business or to obtain permission to make attachments or connections, enter hydrants or do any plumbing in connection with the water works, sewers or sewerage system in the City of El Paso shall before receiving such permission make his petition in writing to the City Council of the City of El Paso, giving the name of his firm, if any, and its component members and place of business and asking for a license to pursue such business or do such work, stating his willingness and agreement to abide and be governed by all and singular the rules, regulations and requirements prescribed by the City Charter, the Ordinances of the City touching or concerning the water works or sewer system and all penalties and conditions that have been or may be from time to time established and prescribed by the City Council or under its authority.

Section 6.

Every plumber applying for such license must be a resident of the City of El Paso, or in case of a firm, at least one member shall be a resident of the City of El Paso and shall satisfy the City Council or the proper committee thereof that he is thoroughly competent and qualified for the plumbing business; that he is of good reputation and qualified to receive a license. If his petition for a license be granted he shall at or before the time of receiving such license (which shall be signed by the Mayor and attested by the City Clerk with the Seal of the City, and a record of which shall be preserved by the City Clerk) execute and deposit with the City Clerk

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a bond with two or more sureties or with one reliable Fidelity or Guaranty Company, to be approved by the City Council, in the sum of one thousand Dollars, conditioned that he will indemnify the City of El Paso against any loss or damage by reason of accident, neglect or any unskillfulness in the performance of any work performed by him under or by virtue of his license, and that he will pay any and all fines or penalties that may be imposed upon him under the laws or the Ordinances of the City of El Paso, and conditioned further that he will indemnify and save harmless any and all other persons from all accidents and damages caused by any negligence in protecting his work, or by any unfaithful or unskilled work done by himself or his employees. Said bond shall be for the benefit of any person aggrieved or injured by reason of any negligence or neglect to properly observe any ordinance of the City, or rules or regulations established thereunder relating to plumbing or plumbing work. The City Council shall have the right to require a new bond at any time and upon failure to furnish same within ten days after notice from the City Clerk, the license of the party failing to furnish such bond shall be suspended until otherwise ordered by the City Council. No license issued under this Ordinance shall be good for a longer period than one year from the date of issuance. Provided that the City Council may delegate the examination of plumbers and the issuance of license thereto to a Committee of the City Council.

Section 7. Any person, whether as master plumber, employing or journeyman plumber, engaged in, working at, or conducting the business of plumbing within the City of El Paso, without a license, as provided for in this ordinance, shall be deemed guilty of a

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misdemeanor, and on conviction thereof shall be fined in any sum not less than twenty dollars and not more than one hundred dollars, and any person violating any other provision of this ordinance shall upon conviction be fined in any sum not less than ten dollars nor more than one hundred dollars.

Section 8. All plumbing and sewer work hereafter done in the City of El Paso, shall be done in accordance and compliance with the following specifications, regulations, and requirements, to wit:

I.

Duty of Owners and Plumbers in Constructing Drains, etc.

It shall be the duty of every person constructing or owning any drains, soil pipe, passage or connection between a sewer and any ground, building, erection, or place of business, and in like manner, the duty of the owner of all grounds, buildings, and erections, and all parties interested therein or thereat, to cause and require that such drains, soil pipe, passage, or connection shall be adequate for its purpose, and shall at all times allow to pass freely all material that enters, or should enter the same, and no change of the drainage, sewerage, or the sewer connection of any house shall be permitted, unless notice thereof shall have been given the Chief Plumbing Inspector and assent thereto obtained in writing.

II

Inspection and Approval.

Drainage, sewerage, or plumbing work must not be covered or concealed in any manner, until after it has been inspected and approved by the Chief Plumbing

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Inspector Notice must be given the Chief Plumbing Inspector when the work is sufficiently advanced for such inspection, when it shall be the duty of said chief Plumbing Inspector to inspect the same within two days after receipt of said notice.

III.

Material of House Drains.

The main drainage system of every house or building and appurtenances shall be separately and independently connected with the street sewer where such sewerage exists, and where there is no sewer in the street, and it is necessary to construct a private sewer to connect with sewer on an adjacent street, such plans may be used as may be approved by the chief Plumbing Inspector, but in no case shall joint drains be laid in cellars parallel with the street or alley.

House drains or soil pipes, laid beneath cellar floors, must be of standard cast iron soil pipe with leaded and caulked joints, and carried outside of cellar wall of building. All other drains, soil or waste pipe, connected with main drains where ~~it is above the cellar floor~~ shall be of iron, with soil feet outside of cellar wall, and all arrangements of soil or waste pipes shall be as direct as possible. All changes of direction on horizontal soil pipes shall be made with "Y" branches and one eighth (1/8) bends, also to be provided with brass clean-out plugs at such junctions; and where such pipes pass through a new foundation wall, a relieving arch shall be built over with a two-inch space on either side of main pipe, provided that a Terra Cotta pipe of proper size may be used in place of the arch. Vent pipes must be extended above the roof of

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main building. The diameter of soil pipes shall not be less than four inches.

IV.

Material of Sewers Between Buildings, etc.
Where a sewer is laid between buildings in a passage-way, alley or court yard, it must be constructed of cast iron pipe for a distance corresponding to the length of the foundation of said buildings, and where a sewer is laid through cellars of buildings, a cast iron pipe of not less than four inches in diameter must be used.

V.

Laying of House Sewers.

The house sewer must, where possible, be given an even grade to the main sewer of not less than one-eighth (1/8) of an inch per foot.

VI.

Drains in Cellars.

Drains or soil pipe connected with the main drain where it is above the cellar floor shall be of cast iron pipe with leaded and caulked joints. Outside of building, when the ground is of sufficient solidity for a proper foundation, cylindrical terra cotta pipe of the best quality, free from flaws, splits, or cracks, perfectly burned and well glazed over the entire inner and outer surfaces, may be laid on a smooth bottom with a special groove cut in the bottom of the trench for each hub, in order to give the pipe a solid on its entire length, and the soil well rammed on each side of the pipe. The spigot and hub ends shall be connected.

The space between the hub and the pipe must be thoroughly filled with cement mortar, made of equal parts of portland cement and bar sand, thoroughly mixed dry and enough water afterwards added to give it proper consistency. The mortar must be mixed in small quantities and used as soon as made.

The joints must be carefully wiped out and pointed, and all mortar that may be left inside removed, and the pipe left clean and smooth throughout, for which purpose a swab must be used, and all sewer pipes must be inspected by the Chief Plumbing Inspector before being placed in the ditch.

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VII.

Diameter of Soil pipe.

The smallest inside diameter of any soil pipe permitted to be used, shall be four inches when from one to ten water closets discharge into it, and when eleven to twenty closets discharge into the same line the soil pipe shall be not less than six inches in diameter. All soil pipes must extend at least two feet above the highest window, and must not be reduced in size. Traps will not be permitted on main vertical soil lines. Each house must have a separate line of soil and vent pipes. Connections of lead with iron pipes must be made with caulking ferrule of same size as lead pipe and caulked with lead.

VIII.

Waste Pipes from Safes, Refrigerators, etc.

Waste pipes from bath-tubs or wash-stands and sinks must not be connected with trap or water closet. Safes and refrigerators must be drained by special pipes not directly connected with house drain, but into an open fixture.

IX.

Vent Pipes.

The vent pipe from each water closet must be not less than two inches in diameter and from wash-stands, sinks, bath and laundry tubs, not less than capacity of traps. Vent pipes from several traps may be combined by branching together above fixtures and then joined into soil pipe at least two feet above the highest fixture.

X.

Wash Trays and Sinks.

Wooden wash trays and sinks are prohibited, such fixtures must be constructed of non-absorbant material.

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XI.

Material for Vent pipe
Vent pipe must be either lead or ^{cast} iron

XII.

Drainage of Cellars
Openings in sewers to receive surface drainage of Cellars will not be permitted unless they have a full four inch trap under grating

XIII.

Location of House Sewer.
When the main sewer is not located on street, house sewer must be constructed on outside of building and branch into each house separately, and in no case will the sewer from one house to another be permitted to run through Cellars.

XIV.

Sediment Pipes

Sediment pipes from kitchen boilers must not be connected on the outlet side of traps.

XV.

Exhaust from Stove Pipes etc

No stove exhaust, blow off, or drip pipe shall connect with a sewer or house drain, leader, soil pipe, wash or vent pipe. Such pipes must discharge into a trunk conductor from which a suitable outlet to the sewer shall be made.

XVI.

Offsets in Soil, Wash, or Vent Pipes.

Offsets in soil, wash, or vent pipes will not be permitted where they can be avoided, nor in any case, unless suitable provisions are made to prevent accumulation of rust or other obstructions.

XVII.

Drip or Overflow Pipes.

Drip or Overflow pipes from under wash stands, bath tubs, Stair Closets, or other fixtures shall be separate pipes, discharging into an open sink fixture in side the house, or at some conspicuous point, and in no case shall any pipe be connected with a soil, drain, or waste pipe.

XVIII.

Height and Thickness of Iron Drain and Soil Pipes.

All iron pipes must be sound, free from holes and of a uniform

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thickness of not less than one-eighth of an inch for a diameter of two, three, or four inches; five-thirty seconds of an inch for a diameter of five or six inches, and in case the building is over ~~forty-five~~ feet in height above the curb, the use of "Extra Heavy" pipe and corresponding fittings will be required. Pipe shall weigh as follows, viz:

2 inch pipe, $3\frac{1}{2}$ pounds per lineal foot.

3 "	"	$4\frac{1}{2}$	"	"	"	"
4 "	"	$6\frac{1}{2}$	"	"	"	"
5 "	"	$8\frac{1}{2}$	"	"	"	"
6 "	"	$10\frac{1}{2}$	"	"	"	"
7 "	"	14	"	"	"	"
8 "	"	18	"	"	"	"
10 "	"	25	"	"	"	"
12 "	"	30	"	"	"	"

XIX.

Traps for Bath-Tubs, Water Closets, etc.

Every sink, bath-tub, basin, water-closet, slop-hopper, or fixture, having a waste pipe must be furnished with a trap which shall be placed as near as practicable to the fixture that it serves. Traps shall be protected from siphonage or air pressure by special vent pipes of a size not less than the waste pipe or trap, each vent to be furnished with tap screw, but vent pipes for water closet traps must be not less than two inches in diameter for a length of thirty feet, and not less than three inches in diameter for more than thirty feet. Vent pipes shall be run as direct as practicable. Two or more vent pipes may be connected together, or with a soil pipe, or carried independently above the roof, but in every case of connection with a soil pipe, such connection shall be above the upper fixtures in the building, but shall be the same size as the waste they serve. Syphon jet and wash down

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bowls to be vented from heads only.

XX.

Joints for Soil and Waste Pipes.

Joints in iron drain pipes, and soil and waste pipes, must be so filled with oakum and lead, and hand caulked as to make them gas tight. Such waste pipes must not be connected with the same fitting that water closets are connected with but shall enter the main soil pipe through a separate fitting between closet openings and main soil pipe. Connections of lead with iron pipes must be made with a brass sleeve or ferrule of the same size as the lead pipe inserted in the hub of the iron pipe and caulked with lead. The lead pipe must be attached to the ferrule.

All connections of lead waste pipe must be made by means of wiped joints. No traps or waste pipes smaller than $\frac{1}{4}$ inch will be allowed.

XXI.

Horizontal Soil and Vent Pipes.

Where rows of fixtures are placed in a line, angle fitting must be used on vent pipes to prevent filling with rust or condensation. Trapped vent pipes are strictly prohibited. No vent pipe from house side of any trap shall connect with ventilation pipe, or with sewer, soil, or waste pipe. Branches on main vertical vent pipes, where there is more than one fixture, must be taken out above the top of the highest fixture.

XXII.

Traps on Soil or Waste Pipes.

There shall be no trap at foot of soil or waste pipe. Traps must be placed as near fixtures as practicable, and in no case shall they be more than one foot

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from said fixture.

XXIII.

Water Closets to be Supplied with Flushing Tanks.

All water closets inside of buildings shall be supplied with water from special tanks or cisterns which shall hold not less than five gallons when full to the level of the overflow pipe for each closet supplied, excepting automatic or siphon tanks, which shall hold not less than eight gallons for each closet supplied. A group of closets may be supplied from one tank, but water closets on different floors must not be flushed from the same tank. The water in said tank shall not be used for any other purpose. The flushing pipes of tanks shall not be less than one and one quarter inch in diameter, and no closet shall be supplied direct from mains.

XXIV.

Water Closets not to be Located in Sleeping Apartments.

Water closets shall not be located in sleeping apartments, nor in any room which has not direct communication with external air, either window or an air shaft of at least four square feet.

XXV.

Ventilation and Traps.

Every water closet, urinal, sink, basin, wash tray, bath-tub, or set of tubs, and waste pipe, must be separately and effectively trapped and ventilated. Traps must be placed as near the fixtures as practicable, and in no case shall more than the waste from the bath-tub or other fixture be connected with a water closet bend and ferrule. There shall be no traps, caps or cowls on soil or waste pipes which

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will interfere with the system of ventilation.

XXVI.

Cesspools and Privy Vaults.

Privy vaults or cesspools for receiving sewage or waste water must not be constructed on premises where a sewer is adjacent.

XXVII.

Connection for Back Drains.

Rubber connections for back drains will not be permitted.

XXVIII.

Inspection and Tests.

Inspection and tests of all plumbing and sewer work hereafter done in or about any and all buildings in the City of El Paso, or in connecting same with any district or main sewer, shall be made by the plumbing inspector as follows:

First. When soil, waste, vent, and other pipes in the building, connected, or to be connected with sewer, have been placed in position, a preliminary water test of same shall be applied.

Second. It shall be inspected and tested when the sewer pipes are laid and connected with district or main sewers.

Third. The final inspection and test shall be made when the job is completed and the water turned on.

For the three inspections and tests here provided for the plumbing contractor doing the work shall pay the Chief Plumbing Inspector a fee of one (\$1.00) dollar, for the first fixture inspected and tested in any building, and fifty (\$.50) cents for each additional fixture inspected and tested in said building.

XXIX.

Duty of Contractor.

When work is ready for inspection the

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plumbing contractor shall make such arrangements as will enable the Chief Plumbing Inspector to reach all parts of the building easily and readily, and also have present the proper apparatus and appliances for making said tests, and furnish such assistance as may be necessary to a proper application of the same.

XXX.

Certificate of Test.

A certificate of inspection and of test and approval shall be issued by the Chief Plumbing Inspector upon demand of owners, contractors, architects, and others interested.

Section 9. All fees collected by the Chief Plumbing Inspector for official services by him performed shall be turned into the city treasury.

Section 10. The Chief Plumbing Inspector shall see that the provisions of this ordinance are in all respects complied with.

Section 11. The Chief Plumbing Inspector shall, at the first regular meeting of the council in each month, make a full report to the council of the operations of his department for the previous month, showing the number of inspections and tests made by him during the said previous month, the persons for whom, and the buildings or places in which they were made, the amount of fees received for each inspection and test, and such other information as may be necessary or proper or as the council may require. All fees received by him for official services by him performed during the previous month must be paid over to

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the City Treasurer before said first regular monthly meeting of the council and duplicate receipts therefor taken from the said Treasurer, one of which shall accompany and be made a part of said report.

Section 12.

The salary of the Chief Plumbing Inspector shall be one hundred and twenty five (\$125.00) dollars per month, provided the fees collected and turned into the City Treasury by him for official services rendered by him shall equal or exceed said sum, but should said fees so collected and turned into the City Treasury be less than said sum, then his salary shall be a sum equal to said sum so collected and turned into the City treasury; and provided further, that in the event said fees so collected and turned over to the City Treasurer shall in any month be less than one hundred and twenty five (\$125.00) dollars, the same shall thereafter exceed, or have theretofore exceeded, said sum in any month or months, then a sum equal to such excess or as much thereof as may be required to make up the deficiency in the month or months when said fees amounted to less than said sum of one hundred and twenty five (\$125.00) dollars, shall be paid to said Chief Plumbing Inspector, so that his salary may average said sum of one hundred and twenty five (\$125.00) dollars per month if said fees of his office so collected and turned over to said City treasury shall amount to said sum.

Section 13. Any person violating any of the provisions of Section Eight (8) herein shall be guilty of a misdemeanor,

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and upon conviction thereof shall be fined in a sum not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars.

Section 14. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 15: This ordinance shall be in force and effect thirty (30) days from and after its passage, approval, and publication.

Passed This 7th day of Sept 1905

Approved This day of Sept 1905-

Attest

Percy McGhee
City Clerk

Charles Davis

Mayor of City of El Paso

Finance Committee

Chairman Rand introduced the following payrolls and bills and recommended that they be allowed.

Payroll Police	Dept Aug	Payroll for Police Dept for month of August	\$ 3068.35
	St & Grade	" " St & Grade for week ending Sept 7 th , 1905	118.75
payroll week		Fassett & Kelley for 3400 feet 8 in Sewer pipe	584.80
ending Sept		Mrs Sullivan " feeding prisoners for month Aug	86.10
7 th		on motion made and carried the above accounts were allowed and warrants drawn to cover same.	
Bill Sewer	pipe		

Communications

Bill feeding prisoners Clerk read petition from Mrs Lizzie Nixon praying for reduction of taxes

Petition Lizzie Nixon Motion made and carried that the petition be referred to Taxation Committee.

reduction Taxes

Petition Chas Beisswenger Clerk read petition from Charles Beisswenger for reduction of Taxes

Beisswenger Motion made and carried that the petition be referred to the Taxation Committee.

Petition R.H. Thorne

Thorne Grade Chi Chihuahua Street between San Francisco and Franklin Streets.

Chihuahua St

Motion made and carried that the petition be referred to St & Grade Committee.

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Petition The Clerk read petition from Texas Co for permit to build ware house and oil tanks.

Texas Co
build ware
house+oil
Tanks

Motion made and carried that the petition be referred to Fire and Water Committee with power to act.

Petition Clerk read petition from Jas S. Bock praying permission to construct and maintain a cess pool.

Jas S Bock
for Cesspool

Motion made and carried that the petition be referred to Sanitary Committee with power to act.

Bids for burying Pauper Dead City Clerk opened and read the following bids for burying pauper dead

Nagley & Carr	to bury dead according to published specifications	each \$2.90
Emerson & Remm	" "	" " " " " " 1.44
McBean & Simmons	" "	" " " " " " 1.25

Motion made and carried that as McBean & Simmons being the lowest bidder their bid be accepted.

Approved

Bids for Repairing Pest House Clerk opened and read the following bids for repairing the pest house

Mitten & Bock	will make repairs according to plans & specifications	\$1,973.00
Wm Rhineheimer	" "	" " " " " " 1713.00

Motion made and carried the bids were referred to Chairman Grant of Building Committee and Aldermen Hilt and Caples, so ordered

Motion made and carried that the Council adjourn over to Saturday Sept 9th 1905 at 9 AM for the purpose of canvassing the returns of election to issue bonds for street paving in Improvement District No 1.

Approved

Charles Davis

Mayor

Percy Mc Ghee
City Clerk

Regular Adjourned Meeting Saturday Sept 9th 1905-

Council Chamber City Hall

El Paso Texas Sept 9th, 1905

Council met in regular adjourned meeting on Saturday the 9th day of Sept 1905- at 9 o'clock A.M. in accordance with section 12 of the City Charter of the City of El Paso,

Mayor Davis presiding and the following Aldermen present:
J. B. Badger, Richard Caples, H. J. Fowl, J. T. Grant, D. F. Hammitt
G. L. Hitt, ~~H. C. Cook~~, H. J. Raud, Augusto Sosa.

Election returns for Street Improvement Bonds
The Mayor stated that the meeting was held in compliance with section 12 of the City Charter for the purpose of opening and canvassing the returns of the election held on the 5th day of Sept 1905, relating to the issuance of gold bonds in the sum of One Hundred and Twenty five Thousand Dollars on the credit of Improvement District No 1, in the City of El Paso for the purpose of making permanent street improvements in said district.

Upon motion made and seconded and carried the City Clerk was instructed to open and read said returns.

Thereupon the Clerk opened and read said returns and finding said returns made out according to law and signed by the proper officers of said election, the Council proceeded to canvas said returns with the following results

Election Returns

Returns of an Election held in Improvement District No. 1 of the City of El Paso, Texas, at the City Engineers office in the City Hall in said City, on the fifth day of September 1905, for the purpose of determining whether the City of El Paso shall borrow \$175,000.00 on the credit of said District and issue gold bonds therefor, for the permanent street improvement in said District as set forth in a proclamation issued by Charles Davis, Mayor of the City of El Paso, issued on the 5th day of August, 1905.

The undersigned Manager of said election having counted all the votes polled in said Improvement District No. 1 of the City of El Paso, do hereby certify that the propositions set forth below did receive the number of votes set opposite said respective propositions below, viz:

Number of Votes Cast

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For Street Improvement

Against .. "

42

2

Given under our hands at El Paso, Texas this the 5th day of September, 1905.

(Signed)

C N Bassett

Presiding Officer

E.S. Penmbaker

Judge

M.C. McGlennan

Attest
Hugh A McLean
Chairman of Election

Judge

The following resolution was then offered by Alderman Coples and being duly seconded the Mayor ordered the roll called upon the adoption of the resolution which when taken resulted as follows

Ayes Alderman Badger, Caples, Fowl, Grant, Hammeth, Hitt, and Rand. Nays. None, Absent Alderman Cook.

Whereupon the Mayor declared said resolution adopted

The resolution above referred to is in words and figures as follows, to wit:

By the City Council of the City of El Paso Texas
 Be it resolved that according to the official returns of an election held on the 5th day of September 1905, to determine whether or not the city of El Paso shall issue on the credit of Improvement District No 1, in said city street improvement gold bonds in the sum of One Hundred and Seventy five Thousand Dollars (\$175,000.00) the issuance of said bonds has been authorized and approved by a vote of 42 votes in favor of the issuance of said bonds and 2 votes against the issuance of said bonds, the said issuance of bonds is therefore declared Carried, approved, and authorized.

And it appearing to the Council that the official returns of said election, ~~are~~ in all things regular and that the proposition to issue said bonds has been ratified, authorized and approved by a majority of the qualified tax paying voters living and owning property in said Improvement District No 1 of the City of El Paso as heretofore defined by ordinance appearing in the minutes of the

Regular Adjourned Meeting Saturday Sept 9th 1905

City Council in Book O at page 14, the said proposition is hereby declared carried and the ordinance committee is instructed to present at the next regular meeting an ordinance embodying the terms and form of said bonds.

Leigh Clark Attorney for the El Paso Electric Railway Co addressed the Council stating that he would like to have some action taken on the resolution introduced by the above named Co which had been referred to the City Attorney and Fire and Water Committee. He further stated that he had discussed the matter with the City Attorney and they had come to an agreement on the points of objection.

In this connection the City Attorney submitted the following report

El Paso, Texas, Sept 7th 1905-

To the Hon Mayor and City Council of the City of El Paso

In the matter of the petition of the International Light & Power Co, and of the El Paso Electric Railway Co, that the City Council adopt a certain resolution tendered by the petitioners to the City Council by which the City Council would ratify and assent to the transfer by the International Light & Power Co, to the El Paso Electric Railway Co, of the lighting contract now subsisting between the City of El Paso, and the International Light & Power Co, I have the honor to report:

In my opinion there would be no legal objection to the passage of such a resolution under the proper provisions and conditions, if the El Paso Electric Ry Co were authorized by law and by its Charter to take over the said lighting contract.

In 1903 the Legislature passed an act (Chapter XLIV, Acts 28th Reg.) authorizing electric street railway companies to supply light and power to the public and to municipalities, and authorized such companies, when doing business in the state to so amend their articles of incorporation as to expressly include such authority.

The El. Paso Electric Railway Company

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has not so amended its charter, and in my opinion, until it does so, it would not be authorized to take over said contract. It might be held that the company was estopped to question the validity of the contract in its hands, but this would not prevent any stock holder of the company doing so at any time. If, therefore, it should be the advantage of the Electric Ry. Co. at any time in the future to escape from the terms of the contract, it is at least more than probable that the contract could be set aside at the suit of any stock holder of the Electric Railway Co. I, therefore, respectfully recommend that no action be taken on the petition until the El Paso Electric Railway Co. shall so amend its Charter.

(Signed) Richard F. Burgess.

City Attorney.

City attorney stated that since drawing up the above report a representative of the El. Paso Electric Ry Co. had exhibited the amendment to their Charter, and there was no legal objection to the adoption of the resolution.

A motion was made and duly seconded that the resolution be adopted. Mayor Davis ordered the vote upon its adoption to be taken by roll call, which when taken resulted as follows: Yeas, Badger, Caples, Jewel, Grout, Hammett, Hilt, Rand, absent Sook. Whereupon Mayor Davis declared that a majority of the vote of the City Council, having voted in favor of the resolution, the same be and is hereby adopted.

The resolution above referred to is in words and figures as follows, to-wit:

X Whereas, by an act of the 28th Legislature of the state of Texas, entitled, "An act to amend Subdivision 2¹ of Article 647 of the Revised Civil Statutes of the State of Texas, adopted in 1895,

Regular Adjournd Meeting Saturday Sept 9/05-

so as to provide that corporations organized for the purpose of constructing or acquiring, with power to maintain and operate street railways and suburban belt lines of railway within and near cities and towns which use electric power, shall be authorized to supply and sell electric light and power to the public and municipalities, and.

Whereas, The El Paso Electric Railway Co. has acquired the property and plant of the International Light & Power Co. with the exception of that certain contract subsisting between the City of El Paso and The International Light & Power Co., which by the terms of the sale from The International Light & Power Co., as aforesaid, to the El Paso Electric Railway Co., was retained by the International Light & Power Co., with the understanding and agreement between said two companies that the said lighting contract between the said City of El Paso and "The International Light & Power Co.", if the assent of the City Council is obtained, should be assigned and transferred to the said The El Paso Electric Railway Co. upon condition that The El Paso Electric Ry. Co. should faithfully perform and carry out, according to its tenor and effect, all the terms and obligations of said lighting contract now subsisting between the said The International Light & Power Co. and the City of El Paso, and.

Whereas, there is no reason why the City Council of the City of El Paso should object to the transfer of said lighting contract from The International Light & Power Co. to The El Paso Electric Railway Co., and

Whereas, the City Council believes it right and proper to assist in every just and proper way, those who have invested or may invest their money in the City of El Paso, and especially those who have added, or may add, to the material wealth and upbuilding of our rapidly growing city, therefore

Regular Adjourned Meeting Saturday Sept 9/05-

Be it resolved by the City Council of the City of El Paso, that the City of El Paso hereby assents to the transfer by the International Light & Power Co. of its property, franchise, rights and privileges to the El Paso Electric Railway Co., and hereby assents to the transfer by the International Light & Power Co. to "the El Paso Electric Railway Co" of the lighting contract now subsisting between the City of El Paso and the said International Light & Power Co.

Provided, however, that such transfer shall in no manner or way change, alter or affect the terms, conditions, prices or obligations as stipulated in said contract, and provided further that by the adoption of this resolution at the request of the El Paso Electric Railway Co. and the International Light & Power Co, the said, the El Paso Electric Ry. Co, in consideration thereof, and of the benefits to accrue to it under said lighting contract by reason of the assignment of said contract to it, it hereby agrees to and with the City of El Paso to assume, perform, and carry out according to its true tenor, effect and reading, all the terms and conditions of said lighting contract during the entire time of its existence, and to all intents and purposes as though the said El Paso Electric Co. had been the original party to whom said franchise, rights and privileges, and said contract had been granted, instead of to said the International Light & Power Co.

And in consideration of the assent of the said City of El Paso to the transfer of its said property, rights, privileges and franchise, and said lighting contract to the El Paso Electric Railway Co; and the benefits to accrue to it, the said the International Light & Power Co, by reason of such transfer and assent it the said the International Light & Power Co, in consideration

Regular Adjourned Meeting Saturday Sept 9/05

thereof, hereby covenants and agrees to and with the City of El Paso to guarantee to the said City of El Paso that the said El Paso Electric Railway Co. shall and will perform all the terms and conditions of said lighting contract according to the true tenor, effect and reading thereof.

Be it further Resolved, that this resolution take effect and be in force from and after its passage,

Passed and adopted this 9th day of September, 1905, and approved this 14th day of September, 1905

Attest.

(Signed)

Percy McGhee, City Clerk

Charles Davis, Mayor

By H. D. Deakins, Dep.

To the above resolution was attached the following communication

El Paso Tex Aug 24/05

To The Hon. Mayor & City Council
of the City of El Paso,
Gentlemen -

Attached hereto is a resolution, the adoption of which the undersigned respectfully request. As stated in the preamble to the resolution, The International Light & Power Co. has sold, and the El Paso Electric Co. has by purchase acquired, the property and plant and all the rights and privileges heretofore owned, enjoyed or possessed by The International Light & Power Co., and in said agreement of sale and purchase the lighting contract between the City and the light company was reserved from said transfer with the understanding that the same should be transferred upon the assent of the City Council of the City of El Paso being obtained, and we request that your assent be expressed by means of the accompanying resolution. The passage of the resolution can in no way harm or injuriously affect the interest of the city, and its passage will greatly aid the El Paso Electric Railway

Regular Adjourned Meeting Saturday Sept 9/05

Co. If said resolution is adopted, then the same shall constitute a contract between the undersigned and the City of El Paso, and shall be enforceable by the City of El Paso against each or both of the undersigned. If the resolution is adopted, the transfer of said contract will be speedily made, and you notified thereof.

(Signed)

Respectfully submitted,

International Light and Power Co.

By Leigh Clark, its attorney
El Paso Electric Railway Co.

By Leigh Clark, its attorney

There being no further business Council adjourned.

Approved.

Charles Davis

Mayor

Percy McGhee city clerk

By N. L. Gedham Dep.

Regular Meeting Thursday Sept 14th 1905

Council Chamber, City Hall

El Paso Texas Sept 14th 1905

City Council met on the above day at 8 o'clock P.M.
Mayor Davis presiding and the following alderman
answering to roll call, Badger, Caples, Fewell, Grant, Hammitt,
Hitt, Look and Rand, Absent none.

Minutes of last regular meeting read and approved
Minutes of Regular adjourned meeting held Saturday Sept
9th 1905 read and approved.

Report of Officers

City Attorney submitted the following
State of Texas.
County of El Paso.

I, F. B. Dupper do solemnly swear that
I am the advertising manager of the El Paso Evening News,
the official newspaper of the City of El Paso, and that the
Election proclamation hereto attached was published in
each and every issue of said newspaper for thirty days
beginning on the 5th day of August, 1905, and ending the
4th day of September, 1905.

(Signed) F. B. Dupper

Advertising Manager

Sworn to and subscribed before me this 12th day of
September, 1905.

(Signed) Richard F. Burgess

Notary public in and for El Paso County, Texas.

On motion made and duly seconded and carried deposition
was received and ordered spread on minutes.

Resolution City Attorney submitted the following resolution.

Be it resolved by the City Council of the City of
El Paso that the City Attorney be and he is hereby directed
to clear streets forthwith institute and to diligently prosecute to
final judgment all such suits as may be necessary
to remove all persons from any and all parts of each
and every street and alley lying and being that portion
of the City of El Paso between the Rio Grande River on the
west and south, and Third street on the southwest, and
the reservation of the Rio Grande and El Paso Railway Co.

Regular Meeting Thursday Sept 14th, 1905-

on the north & east and the said City attorney is hereby authorized, empowered and directed to move all powers of all Courts, necessary or expedient to the accomplishment of the clearing vacating and abandonment of the streets and alleys above indicated.

On motion duly made, seconded and carried the above resolution was adopted.

here

Report City Clerk of	City Clerk submitted the following report on building permits for the month of August.
Building Permits for August	Total number of permits issued 36 30 " " . . . at \$1.00 each 6 " " " " .50 "
	Total
	Less 25% Commission on \$33.00
	Settlement with City Treasurer receipt no 1664
	On motion made and carried the report was received and ordered filed.

Report City Clerk for Month August

City Clerk submitted the following report
To the Hon Mayor and City Council
Gentlemen

I beg to report to your Hon Body the following Cash receipts for the month of August other than building permits.

Southeastern Pipe & Pipe Co. License	25.00
From Dr Anderson a/c fumigation	4.00
Total	29.00

On motion made and carried the report was received and ordered filed.

City Clerk submitted the following report
To the Hon Mayor and City Council
Gentlemen

Report City Clerk Warrants	I beg to report of the following warrants drawn to which have been drawn to pay interest on outstanding bonds pay Interest Sewer Extension & Imp Bonds Series 4, 6 mos 5% on Bonds City School Bonds " 4 6 " 5% For Exchange on above special Fund 6.87

On motion made and carried the report was received and filed.

Regular Meeting Thursday Sept 14th 1905-

Police Committee

Chairman Hitt had the following resignation read
to the Hon Mayor and City Council

Resignation

of J.B. Larrazola

as Corporation Clerk and ex officio City Jailor for personal and
political reasons, which deem it advisable for me to do so

Clerk

I hereby tender my resignation as

Sincerely

J B Larrazola

on motion made and carried the above resignation was accepted

Resolution

Office of Alderman Hitt introduced a resolution and moved its
City Detective adoption which was duly seconded.

The Mayor ordered the vote upon the adoption
Abolished of the resolution to be taken by roll call,
which when taken resulted as follows. Geas, Cafles,
Fowler, Hammell, Hitt, Rand, S. Hayes, Badger,
Grant, Cook, 3, absent none.

Whereupon Mayor Davis declared that a majority
of the vote of the City Council having voted in
favor of the resolution the same be & is hereby
adopted. The resolution above referred to is in
words and figures as follows, to wit:

Be it Resolved by the City Council of the City
of El Paso: That inasmuch as there appears to
be no present need for a City Detective, that
the office of City Detective be and the same
is hereby abolished. This resolution shall be
in force and effect from and after the
passage and approval.

Street and Grade Committee

Alderman Fowler to whom was referred the following petition
recommended that it be granted

Petition of

R H Thorne

for 5th grade

on Chihuahua

St

To the Hon Mayor and City Council:

Gentlemen

I respectfully request that you have the
Chihuahua grade established for Chihuahua street from its
intersection with San Francisco street to, and where it
(Chihuahua street) intersects with Franklin street. I have purchased
the property in block 48 which borders on the west line

Regular Meeting Thursday Sept 14th, 1905-

of Chihuahua street, I wish the grade line established so that the plans for the contemplated buildings may be prepared. Soliciting your early consideration of this matter.

I remain, yours very respectfully

Richard A. Thorne

On motion made and carried the above petition was granted.

Chairman Fovel stated that the Railroad crossing of Texas and Pacific on Texas street, also I. P. Crossing on Campbell street were in bad condition and recommended that City Clerk be instructed to notify the Railroads to repair them at once.

On motion made and carried the recommendations were ordered carried out.

Street and Chairman Fovel requested commission to build sidewalk Grade Com on the east side of North La Salle Fe' street between Franklin and Missouri streets; also sidewalk on the south side of Carnegie Square.

walk On motion made and carried the Street and Grade committee was authorized to ^{ask} advertise for bids for the above sidewalks, and to have the said walks built.

Sanitary Committee.

Alderman Badger, to whom was referred the following petition, recommended that it be granted.

Petition of
E. A. Moss
Sewer in
Block 101

Hon. Mayor and City Council;

Gentlemen;—

We, the undersigned property-holders, respectfully ask you to have sewer connection extended through alley in Block No. 101 of Franklin Heights Addition to your city.

(Signed) E. A. Moss,
and others.

On motion made and carried the above petition was granted.

Ordinance Committee.

Regular Meeting Thursday, Sept. 14, 1905.

Chairman Cook introduced an ordinance authorizing the issuance of street improvement bonds in the sum of Ordinance \$175,000.00 to grade, curb and pave certain streets in improvement district No. 1 of the City of El Paso, Texas, authorized to Bonds, be issued and sustained by vote of the qualified tax-paying voters living and owning property in improvement district No. 1 of the City of El Paso on Sept. 5, 1905; and levying a tax to pay the interest and create a sinking fund to redeem said bonds, and moved its adoption.

Motion, having been duly seconded, the Mayor ordered the vote upon the adoption of the ordinance to be taken by roll call, which, when taken resulted as follows:-

Yea:- Badger, Caples, Favel, Grant, Hammett, Hitt, Cook, Rand, 8. Nays,- None, Absent, None.

Whereupon Mayor Harris declared that a majority of the vote of the City Council having voted in favor of the ordinance the same be, and is hereby adopted.

The ordinance above referred to is in words and figures as follows, to wit:

Be it ordained by the City Council of the City of El Paso;

Section 1.

That there shall be and are hereby authorized to be issued coupon bonds of the City of El Paso, on the credit of Improvement District No. 1, of said city, in the sum of and to the amount of one hundred and seventy-five thousand dollars (\$175,000.00) for the purpose of borrowing money upon the credit of Improvement District No. 1 of the City of El Paso, for the purpose of making permanent public improvements in such district, to grade, curb, and pave certain streets in such district, which bonds shall be in the denomination of one thousand dollars each and shall be styled and known as "El Paso Street Improvement Bonds, District No. 1." Said bonds shall specify for what purpose they are issued and shall be sold for and not less than their par value, with accrued interest to date of payment of the proceeds into the City Treasury; and the proceeds arising from the sale of said bonds shall be used solely for the

Regular Meeting Thursday Sept. 14, 1905.

purposes for which said bonds are issued, and when said bonds are prepared, executed and registered as provided by Sections 90-91 and 92 of the Charter of the City of El Paso and certified by the Attorney General, and registered by the Comptroller, in compliance with Articles 918d, 918e and 918f of the Revised Civil Statutes of 1895 of the State of Texas as amended by Act of the 27th Legislature, page 16 General Laws of the Regular Session, where the City Council of the City of El Paso is hereby authorized to negotiate and sell the said bonds for the best interests of the City, under the limitations however herein imposed.

Section 2. Said bonds shall bear date Nov. 1st. 1905; and shall bear interest from date at the rate of five per cent per annum, payable semi-annually on the 1st day of May, and the 1st day of November of each year, at the office of the City Treasurer of the City of El Paso, or at Chemical National Bank in the City of New York, at the option of the holder of such bond. The principal sum secured by said bonds, shall mature and be payable at the office of the City Treasurer or at Chemical National Bank in the City of New York; at the option of the holder, Thirty years after the date of said bonds, and the principal of said bonds and the interest accruing thereon, shall be payable in lawful gold coin of the United States of America. Said bonds shall be numbered from One to One Hundred and Seventy-Five both inclusive, and each bond shall have sixty coupons attached, securing the payment of interest semi-annual-ly, and each coupon shall represent one semi-annual installment of interest. That the said bonds shall be signed by

Regular Meeting Thursday Sept 14, 1905-

the Mayor of the City of El Paso and attested by the City Clerk and the coupons attached to said bonds shall be signed by the Mayor of the City of El Paso and countersigned by the City Clerk, either by their original or lithographed signatures and when so signed shall be the valid and binding promise of the City of El Paso securing the payment of interest to the holders of said coupons.

The City of El Paso hereby reserves the right to redeem at par and accrued interest. At any time any coupon shall fall due, the said bonds or any of them, after twenty years from the date of said bonds, by giving notice thereof for thirty days prior to redemption in some newspaper published in the City of New York, and also a newspaper published in the City of El Paso. Said bonds shall be redeemed in the order in which they are numbered, that is to say, No. 1. shall be redeemed first, and the others in regular order thereafter, and any bond so ordered redeemed and advertised for as aforesaid by number, date and amount, and not presented for redemption; as aforesaid, on or before the date fixed in said notice for the redemption thereof, shall cease to bear interest from said date. The said bonds shall be made payable to bearer.

Section 3. The fund provided for the payment of the interest on said bonds and for the redemption thereof at maturity, shall be accumulated, kept, used and applied in all particulars and respects in conformity to the requirements of the Charter of the City of El Paso and the Constitution and Laws of the State of Texas, applicable thereto.

Section 4. That there shall be and is hereby created a special fund in the City Treasury

Regular Meeting, Thursday Sept. 14, 1906 -

* To be known as the "El Paso Street Improvement Bonds, District No. 1. Fund, for the purpose of paying the interest on the debt represented by said bonds, and creating a sinking fund of at least two per cent thereof, to redeem said bonds, which fund shall not be diverted nor drawn upon for any other purpose than to pay interest and principal on such bonds and the City Treasurer shall honor no debt or draft on said fund except to pay the interest and redeem the bonds for which it was provided, and the said fund shall be kept separate by the City Treasurer from other funds, the sinking fund for such bonds shall be invested in United States interest-bearing bonds, or bonds of the State of Texas, or of El Paso County, Texas, or in bonds of the City of El Paso, and the interest of such bonds shall be reinvested, and such bonds shall be sold when necessary to pay interest or principal of the bonds herein provided for; and for the purpose of creating and accumulating said fund there shall be hereafter levied, assessed and collected annually at the same time and in the manner and form other City taxes are assessed, levied and collected upon all property real and personal within said Improvement District No. 1. of the City of El Paso, Texas, subject to taxation, and paid into said fund in the City Treasury, a sum of money equal to at least two per cent of the whole principal of said bonds, that is to say, three thousand five hundred dollars annually for said sinking fund, and also a sum of money equal to five per cent interest on said bonds and all of them annually, that is to say Eight thousand, seven hundred and fifty dollars to pay the interest on said

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bonds as same shall fall due semi-annually and said monies are hereby set apart and appropriated for said purpose.

Section 5. It shall be the duty of the City Treasurer of the City of El Paso to carefully safeguard the fund named in Section 4. hereof, and to faithfully see that all monies appropriated for the purposes of said fund, are paid into said fund by the proper City officers; and all of the assessing, taxing and collecting officers of the City of El Paso are hereby charged with the duty of levying, assessing and collecting the taxes, and of appropriating so much of the revenues of said city which may hereafter from time to time become due, or come into their hands, as may be necessary to create, protect and maintain said fund, to be applied to the payment of the principal and interest of said bonds, until the same and all of them are fully paid off, satisfied and discharged.

Section 6. That there shall be and is hereby assessed and levied annually upon all taxable property real and personal within Improvement District No. 1. of the City of El Paso as heretofore defined by the City Council of the City of El Paso by an Ordinance passed & approved the 3rd day of August, 1805; and spread upon the minutes of the City Council in Book O at page 14, a tax of twenty four cents on each one hundred dollars valuation of such property real and personal, or as much thereof, as may be necessary and sufficient to fully create, constitute and produce the said money required for said sinking fund and interest; and it shall be the duty of the proper assessing, levying and collecting officers of the City of El Paso to assess, levy and collect the sum of money

Regular Meeting Sept. 14, 1905.

required to be raised, annually, and to see that the same is collected and paid into said fund. And it is hereby made the special duty of the Mayor, City Council, City Assessor and Collector and the City Treasurer of, said City, and all other officers charged with the duty of levying taxes and assessing and collecting same, and with the custody thereof, to see that this ordinance is carried into effect and enforced, in respect to the creation of said fund, and the assessment, levying and collecting of the taxes designated to create and maintain said fund; and it shall be their duty to see that such taxes when collected are paid into the City Treasury, and applied in accordance with this Ordinance and the Constitution and laws of the State of Texas. And in the event of the failure or refusal of said City or of its proper officers to compute, ascertain, assess and levy said taxes as is required by this ordinance, and the statutes in such cases made and provided, and to make provision for the aforesaid fund and its maintenance, the State Comptroller of Public Accounts shall act to that end as required by Section 92 of the City Charter of the City of El Paso, and he is hereby expressly authorized to do so in accordance with the provisions of said section.

Section 7. The taxes levied by this ordinance shall be levied annually and collected until said bonds and the interest thereon are fully paid satisfied and discharged. Whenever there is One Thousand Dollars in said sinking fund, the same may be used in the redemption of bonds issued under this ordinance, or invested as hereinbefore provided, provided however,

Regular Meeting Thursday Sept 14th 1905

that such securities shall mature prior to the maturity of the bonds herein provided for, and all such investments shall only be made on the approval of the State Comptroller.

Section 8. The City Treasurer shall make quarterly reports to the City Council as to the status and condition of the said El Paso Street Improvement Bonds, District No. 1, Fund.

Section 9. That this ordinance shall take effect and be in force from and after its passage and approval,

Passed and adopted this 14th day of September, 1905; and approved this 15th day of September, 1905.

Attest

Percy McShee

City Clerk

Charles Davis.

By H. L. Oldham, Dep.

Mayor.

Finance Committee

Street and Chairman Rand submitted the Street Grade payroll for Grade work ending Sept 14th 1905 and Sept Allowance for public Pay Roll Library

Street Grade payroll work ending Sept 14 th	\$ 314.10
Public Library Allowance for Sept	300.00

Taxation Committee

Chairman Hammett to whom was referred the following petition recommended that it be granted.

To The Hon Mayor and City Council
Guttmann

The assessed value of my property viz: Lot 5 of block 61 Magoffins addition is \$750.00 which is excise their being no improvement, and other lots in same block are assessed at \$400.00.

Petition
Lizzie Nixon per
Petition for reduction tax to pay the taxes -

Yours respectfully
Mrs Lizzie Nixon

Regular meeting Thursday Sept 14th, 1905-

On motion made and carried the above petition was granted.

Chairman Hammitt to whom was referred the following petition recommended that it be granted
To the Hon Mayor & City Council
Gentlemen

Petition \$1100⁰⁰ for improvements in your assessment you have me
Beisswenger belongs to Mrs Stein, my figure \$700⁰⁰ for personal
refund goods are exactly the price paid for. So I beg you
Tax. herewith to reduce taxes to same amount

Respectfully yours
Charles Beisswenger

On motion made and carried the above petition was granted

Fire & Water Committee
Chairman Coples to whom was referred the following communication from the Fire Department recommended that it be granted.
To the Hon Mayor and City Council
Gentlemen

He would respectfully request that you purchase for the use of this department the following articles, 2000 feet of standard double Fire Dept jacketed rubber lined hose guaranteed to stand 400 supplies lb pressure. One horse suitable for use, so as to replace the one lost by death during past month. Six tubular fire Dept lanterns, and 6 american smoke protectors.

Respectfully submitted
El Paso Fire Dept
by W P Hixon

Secty
On Motion made and carried the Chief of the fire Department was authorized to make the purchase of the supplies as ~~as~~ requested above.

Chairman Coples to whom was referred the following petition from the Texas Company submitted the following report
To the Hon Mayor and City Council

Regular Meeting Thursday Sept 14th 1905-

Gentlemen

Your Committee on Fire and Water to whom
was referred the petition of The Texas Company for permit
Report to erect a ware house and tanks on block 77 Campbell's
Fire and addition to the City of El Paso, filed September 7th 1905
Water Com. with power to act, have examined into the matter
and recommend that said permit be granted as requested
and that the ordinance attached to said petition granting
said right be adopted by the City Council

Respectfully submitted

Richard Capen

H. J. Rand

Will J. Fowl

The petition above referred to is in words and figures
as follows to wit:

To the Hon Mayor and City Council

Gentlemen — The Texas Company of Beaumont Texas
respectfully asks for a permit to erect a ware house on
block seventy seven (77) according to Campbells map of
the City of El Paso, Texas, which ware house is to be a
one story brick and stone building 72 by 36 feet, and to
be used for the purpose of storing and handling
lubricating oil and illuminating petroleum oils, and to
to build place contiguous to said ware house on said block,
Oil Tanks. five horizontal cylinder shaped oil tanks, which
will have a capacity of about two hundred barrels of
oil each which will be placed on concrete foundations
and the tanks securely closed except when receiving
or discharging oil, and with no outlets except pipes
leading into said warehouse.

The Texas Company desires to enter the business
field of El Paso for the purpose of selling its
lubricating and illuminating oils, and it has
selected the location above stated, on block 77 and
respectfully requests the city to grant it a permit to erect
the above structures as per accompanying ordinance.

Respectfully submitted

The Texas Company
by its Attorneys

Edwards & Edwards

Regular Meeting Thursday Sept 14 1905

On motion made and carried the above petition was granted.

Alderman Coples had read and submitted an Ordinance granting permit to The Texas Company to erect a warehouse Ordinance and tanks on block 77, Campbells Addition for the purpose Texas Co. of storing and handling lubricating and illuminating Erect Oil petroleum oils.

Tanks On Motion made and duly seconded the Mayor ordered the vote upon the adoption of the ordinance to be taken by roll call, which when taken resulted as follows; Yeas Badger, Coples, Devel, Grant, Hacumatt, Hitt, Cook and Rand 8. Nays None, Absent none.

Whereupon Mayor Davis declared that a majority of the vote of the City Council having voted in favor of the ordinance, the same be and is hereby adopted,

The ordinance above referred to is in words and figures as follows to wit:

Be it Ordained by the City Council of the City of El Paso, Texas.

Section I

That a permit is hereby granted to the Texas Company, a Texas Corporation having its principal place of business at Beaumont Texas, to erect on block Seventy seven (77) according to Campbell's map of this city, a warehouse for the purpose of storing and handling lubricating and illuminating petroleum oils, to be a one story building constructed of brick and stone 72 + 36 feet, and also to place on said block, contiguous to said warehouse, five horizontal cylinder shaped steel tanks, which will have a capacity of about 200 Barrels of oil each, and will be placed on concrete foundations in the center of said block and the tanks securely closed except when receiving or discharging oil, and with no outlet except pipes leading into said warehouse.

Section II

That this ordinance shall take effect from and after its passage

Passed this the 14th day of day of September 1905-

Regular Meeting Thursday Sept 14th 1905-

Approved this the 18th day of September 1905-

Attest

Perry McElhe
City Clerk

Charles Davis
Mayor of the City
of El Paso Tex

Special Committee

Chairman Caples of Special Committee on park site north of the G.T. tracks stated that he had had the matter up with the G.T. official regarding the purchase of block

Report
Special
Com. on
purchase
Park.

259 known as "G.T. Hospital block." The best terms he could get was \$10,000.00 for the block on as long time as the city may want. Chairman Caples further stated that the G.T. Railroad was willing to let payment on block of land go to paying the Companies taxes. Chairman Caples recommended that the city purchase the said block for a park.

On motion made and duly carried the Mayor and City Attorney was authorized to purchase said block for a City park.

Communication

Petition
J.L. Dyer
Grade on
Rio Grande

Clerk read petition from J.L. Dyer praying for grade on Rio Grande Street

on motion made and carried the petition was referred to Street & Grade Committee

Petition
Moremen
Bridge on
Canal

Clerk read petition of R. Moremen & J.H. Pease praying for bridge across Canal on Piedras Street

On motion made and carried the petition was referred to Street & Grade Committee.

Petition
Ullman
Sidewalk
Privilege

Clerk read petition of Mrs Louise Ullman et al for side walk privilege

On motion made and carried the petition was referred to Street & Grade Committee.

Petition
J. Schwingle
damages

Clerk read petition of J. Schwingle praying Council to investigate his claim for damages.

On motion made and carried the petition was referred to Street & Grade Com.

Regular Meeting Thursday Sept 14th 1905-

Petition Clerk read petition of A.C. DeGroff to close alley in block
52 Bassett add
closing alley.
On Motion made and carried the petition was referred
to Street & Grade Committee.

Petition Clerk read petition of C.N. Bassett to excavate underside walk
C.N. Bassett at Cor St Louis & Stanton
excavate On Motion made and carried the petition was referred
sidewalk to Street & Grade Committee.

Petition City Clerk read petition of H.D. Slater to build Curb side
Slater to walk & curb on present ave and for present grade to make the
build official grade of the street
sidewalk On Motion made and carried the petition was referred
to Street & Grade Committee

Petition Clerk read petition of J.F. Connors asking for a raise
J. Connors in salary.
raise in salary. On Motion made and carried the petition was referred to
Sanitary Committee

Clerk read the following petition

Charles Davis Mayor

Petition Please issue me a permit to build Curb
Geo Wallace Side walk in front of my property on Utah St
build
side walk
My Resp
Geo E Wallace

On motion made and carried the permit was granted

Petition Clerk read petition from J.M. Phillips and other taxpayers
Calling attention to the condition of the ditch running on the
J. Phillips North side of S.P. track on main street, commencing at
clean out Oregon street and running west, stating that the recent rains
ditch had completely filled said ditch up with sand and that
what water comes down now will run over at crossing
of County road and down on to their property
On motion made and carried the City Clerk was ordered to
notify The S.P. Railroad Company to have said ditch cleaned
out.

All applications for the position of Chief Plumbing Inspector

Regular Meeting Thursday Sept 14th 1905-

was passed over until next regular meeting

New Business

City Atty City Attorney was granted leave of absence for our
granted work.

Leave one Alderman Badger presented a request from the Civic
Improvement League for an appropriation of \$93⁰⁰ to
Petition pay for putting down a curb around Alamo Square and
Civic League recommended that the request be granted.
Appropriation On motion made and carried the request was granted.

On motion made and carried the mayor and board of
aldermen will meet in the mayor's office on Monday at
9 o'clock A.M. Sept 18th 1905 as a Board of Equilibration

No further business The Council adjourned

Approved

Charles Davis
Mayor

Perry McGhee
City Clerk

Regular Meeting City Council Sept 28th 1905

Council Chamber, City Hall
Sept 28, 1905.

City Council met on above date at 8 o'clock p.m., Mayor Davis presiding and the following aldermen answering to roll call: Badger, Caples, Fennel, Grant, Hommett, Hitt, Sook and Rand. Absent none.

The Minutes of last regular meeting were read and approved.

Mayor Davis stated that as a courtesy to members of the Pioneer's Association present he desired to suspend the regular order of business until they could be heard on a matter they wished to lay before the Council. The regular order of business was accordingly suspended and the following petition was handed to the Clerk and read:

El Paso, Texas, Sept 28/05-

Petition To the Hon. The Mayor and

of Pioneer City Council of El Paso, Texas.
Association Gentlemen -

Granted.

Your petitioners, representing the Pioneer's Association of El Paso County, Texas, respectfully set forth to your honorable body that the above mentioned association has resolved to erect in this city a monument to the memory of those pioneers of El Paso, living and dead, who, by their enterprise, bravery and patriotism, through many hardships and privations, laid the foundations of our prosperous city and, in the heart of what was once known as the "Great American Desert," helped to establish a commonwealth to which the nation is today proud to point as a wonderful example of American enterprise.

Your petitioners further set forth that they have been designated to petition your honorable body in behalf of the association they represent and to ask in the name of said association that you set aside the necessary space

Regular Meeting Thursday, Sept 28/05

is the "Little Plaza" as a site for the said monument and dedicate it to that purpose, and furthermore that you officially designate said Little Plaza as "Pioneer Place," to be henceforth known by that name.

And so your petitioners will ever pray,

(Signed) The Pioneer Association of El Paso Co., Texas.
By Jas. Mogoffin Pres.
Noyes Rand. V Pres.

Resolution On motion duly made and seconded the above
Nominees petition was granted.

"Little Plaza"
"Pioneer
Place"
Adopted.

Kederman Hammert then introduced the resolution and moved its adoption, which was duly seconded. The Mayor ordered the vote upon the adoption of the resolution to be taken by roll call, which when taken resulted as follows: Yeas, Boggs, Coples, Jewel, Grant, Hammert, Hitt, Lovc, & Rand. Nays, none. Abstain, none. Whereupon, Mayor Davis declared that a majority of the vote of the City Council being in favor of the resolution, the same be and is hereby adopted.

The resolution above referred to is in words and figures as follows, to wit:

A. Resolution giving a name to the "Little Plaza and authorizing the Pioneers Association of El Paso to erect a

Be it Resolved by the City Council of the City
of El Paso:

Section 1. That the Little Plaza, situated at the intersection of San Francisco St., South El Paso, N. Oregon and St. Louis, its, shall be hereafter known and designated as "Pioneer Place" in honor of the brave and sturdy men and women who laid the foundation of the city.

who knew the foundation of El Paso's greatness.
Section V. That the Pioneer's Association
of El Paso be and they are hereby authorized to
erect and maintain in the center of said
"Pioneer Place" a suitable monument in com-
memoration of the Pioneers of El Paso.

Regular Meeting, Thursday Sept 28/05-

Section 3 That this resolution be in effect immediately upon its passage and approval.

Passed and adopted this 28th day of Sept. ¹⁹⁰⁵ and approved this day of Sept., 1905-
Approved atest,

(Signed) Chas. Davis. (Signed) Percy McElveen, Jr.,
Mayor. By H. Odehoni, Sep.

Street & Grade Committee.

New Grade maps of grade
West Franklin St and Prospect Ave and
Franklin recommended that the same be adopted as the official
St & Pros- grade of these streets. On motion made and carried
part Ave. The recommendation was ordered carried out.
Adopted Chairman Jewel read the following
petition:

E. Paso, Texas, Sept 28/05-

To the Hon. Mayor & City Council
E. Paso, Texas

Petition of Will Gentlemen -

I respectfully ask your permission
granted to lay a cement sidewalk on the north side of
Block 711, fronting on Magoffin Ave. being
260 ft Yours respectfully

(Signed) Will. J. Jewel,

On motion made and carried the above
petition was granted.

Chairman Jewel, to whom was re-
ferred the following petition recommended
that the same be granted:

E. Paso, Tex, Sept 13/05-

Petition To the Hon. Mayor & City Council -
of C. N. Gentlemen.

I respectfully ask that you give
me permission to excavate the sidewalk ten
feet from the property line, beginning at the
southeast corner of St Louis and Stanton Sts and
extending 120 ft south, also beginning from the
same corner and extending 180 ft east. Property
is part of Block 11. Excavation is necessary for

Regular Meeting Thursday Sept 28/05-

extension of basement in new building.

Respectfully,

(Signed) C. N. Bassett,

Chairman Jewel to whom was referred
the following petition, recommended that the same
be granted:

State of Texas }
County of El Paso }

To the Hon. Mayor and City Council
of the City of El Paso, Texas

Petition of Gentlemen -

R. More- Your petitioners, R. Moreman and H.
mon. et al Pease, would respectfully represent that they are
for brigida householders and own real estate in El Paso
over Canal County, Texas, and especially near the city limits
located in the addition known as East El Paso; that your
Clerk to petitioners are opening up a sub-division of the
notify East El Paso addition to the city of El Paso,
Co. Texas, near the city limits, and on the south
side of the canal in said addition, which said
sub-division is known as the "Garden Sub-division";
that Piedras Street in the East El Paso addition
running north & south crosses the canal
near the limits of the city of El Paso, and that
where said street crosses the canal into said
Garden division there is no bridge or pas-
sage way for the accommodation of the public;
that your petitioners have duly presented the
matter to the County Commissioners Court of the
County of El Paso, Texas, and respectfully ask your
honorable body to co-operate with the said
County Commissioners Court in the building
of a suitable bridge over and across the
canal where said Piedras Street crosses the
same.

Your petitioners further represent that
the building of said bridge where Piedras St.
crosses the canal is a great public necessity,
and is an improvement for which your petitioners
will in duty bound ever pray.

(Signed) R. Moreman & H. Pease
By Wm. Wheeler, agt.

Regular Meeting Thursday Sept 28/05

On motion made and carried the recommendation was ordered carried out and the Clerk was instructed to notify Const. Co. to place said bridge within thirty days.

Chairman Jewel to whom was referred the following petition recommended that the same be not granted.

To the Hon City Council
of the City of El Paso, Texas.
Gentlemen -

We, whose names are signed beneath, being the owners of property and tenants thereon abutting on the streets and alleys over which a permit to lay a spur or side-track is hereby petitioned for, respectfully ask your honorable City Body by resolution duly entered to grant us the right and privilege of laying a spur railway track from a point at or above where Third St R.R. spur intersects what is commonly known as the Atchison, Topeka & Santa Fe Railway Co. reservation in the City of El Paso, Texas; thence easterly along Third St to a point on Third St about half way distant between the intersection of south Santa Fe Street and south El Paso St with Third St; thence curving northerly through and along the alley in Block 133, Campbell's Addition to the City of El Paso, Texas, to a point where said alley is intersected by Second Street.

We are now using a part, and desire to use all of said property referred to herein as locations for wholesale business houses, and in order to conduct said wholesale businesses economically, conveniently and successfully, and to justify us in incurring the expense necessary for the making of improvements on said property, which improvements are now contemplated, it is necessary that we have advantage of the spur track hereby petitioned for and to that end respectfully ask

Regular Meeting Thursday Sept 28/05-

that a resolution be passed by your honorable body substantially as hereto annexed.

Respectfully submitted

(Signed)

Mrs Louise Ullman
By E. B. Fatman
Goodman Produce Co.

By D. S. Goodman Mgr & others.

On motion made and carried the recommendation of the Chairman was ordered carried out,

Chairman Jewel to whom was referred the following petition recommended that the same be granted.

Sept 13, 1905

E. Pass, Texas.

To the Hon. Mayor and City Council
El. Pass, Texas.

Gentlemen-

We, the owners of the entire Block No 52 Bassett's addition to the City of El. Pass, State of Texas, do petition your honorable body for permission to close the alley of said block for the purpose of general improvement, viz: The setting out of shade trees, shrubbery and fencing. Whenever the Mayor and City Council deem it necessary for said alley to be opened, will open same upon their request.

Trusting that your honorable body will grant this petition, we remain,

Yours very truly,

(Signed) Chas. & A. C. D. Groff

On motion made and carried the recommendation of the Chairman was ordered carried out,

Chairman Jewel to whom was referred the following petition recommended that the petitioner be compelled to put down cement sidewalk on his premises:

State of Texas. 3 Before the City Council of the County of El. Pass & City of El. Pass, State of Texas,

To the Hon. Mayor and City Council
of the City of El. Pass.-

Regular Meeting Thursday Sept 28/05

Gentlemen -

Your petitioner, J. Schwingle, respectfully represents to the Mayor and City Council of the City of El Paso, that heretofore, to-wit, on the 8th Day of March, 1905, he filed with the City Clerk a certain petition addressed to your honorable body, which was numbered 464, and recorded at length in Book "N" at page 398, to which petition your petitioner now refers, making the same a part hereof, a true copy being hereto attached as an exhibit.

Said petition hereto appended as an exhibit was denied by the Council, and your petitioner now respectfully requests that the action of the Council in so denying it be re-examined and a full and completed investigation of the facts therein alleged be made in to change connection with what is now herein presented to the Council:

Adopting the allegations of the original petition herein referred to, your petitioner respectfully represents that he has been damaged by virtue of the wrongs therein complained of as follows:

Since the excavation complained of was made his property as in said petition described, he has from time to time been subjected to overflow and flooding, a thing which never happened previous to the said excavation and destruction of the sidewalks in front of and adjacent to his property and the grading and plowing up of the said Leon Street in a negligent and careless manner by the Street Commission, and this overflowing and flooding of his lots and the basements to the buildings thereon situated has resulted in great and permanent injury and damage thereto, the water standing in the same to a depth of fifteen inches, running out his tenants, ruining their household furnishings and goods,

Regular Meeting Thursday Sept. 28/05

injuring the buildings and endangering especially the walls and foundations, and depreciating his property in value generally, and especially in rental value, all to his great damage in the sum of \$500 $\frac{0}{0}$, which together with the damages heretofore alleged in the former petition aggregate the total sum of \$568 $\frac{56}{56}$.

Your petitioner, promises considered prays that this petition be referred to the proper Committee and that some step be taken to prevent the flooding of his property in the future and that the grade of Leon Street be changed if necessary to prevent this; that he be granted the relief which he asked for in his former petition, and that he be allowed his damages as alleged.

(Signed) J. Schwingler, Petitioner
El Paso Texas, Sept. 14th, 1905.

On motion duly seconded the recommendation of the Chairman was ordered carried out.

Chairman Jewel, to whom was referred the following petition recommended that some be granted and the City Engineer instructed to give grade:

El. Paso, Texas, Sept 8/05
To the Honorable Mayor and City Council
of the City of El Paso, Texas.
Gentlemen

Your petitioners, signing their names hereto respectfully represent that they are the owners of the following described property Petition in Block 70, in Franklin Heights addition to the John L. City of El Paso, town: Lots 1-2-3-4-5-6-7-8-9-10-11-12-13 Dyer to 14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31 fix grades 37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53 on Rio 54-55-56-57-58-59-60-61-62-63-64-65. That said property Grande is bounded on the north side by Rio Grande St and on the south side by Montana St, on the east side by Lee St and on the west by Newman St of said City. That the grade of the said Rio Grande

Regular Meeting Thursday Sept 20/05 -

street between Newman and Lee Street has never been established by the city. That it was represented however by the owners of said addition, who laid out and platted same, to the purchasers of property along said street that they would excavate and open said Rio Grande Street between said Newman and Lee Streets so that the grade thereof at its highest point should not be greater than twenty feet above the present grade of Montana St along the same block. That although said Rio Grande St has been long platted upon the map of Franklin Heights addition to this City, the same has only been partially excavated, and is in an impossible condition, is higher than the aforesaid lots bordering the same on the south and the water from said street as well as from the hills beyond flows down over the property of your petitioners. That owing to the fact that no grade has been established your petitioners are unable to improve their property along Rio Grande St and are suffering great inconvenience therefrom,

Wherefore, your petitioners pray that you proceed to fix the grade between the points named, that is, between Newman & Lee Streets, so that said Rio Grande St may carry its proportionate share of the drainage from the property north of it between said points, as well as of the property south, and that the highest point upon the grade so established between Newman & Lee Streets in no case exceed twenty feet in height above the present grade of Montana Street when it borders said block,

Respectfully submitted
Jno S. Dwyer et al

Signed On motion the recommendation of the Chairman was ordered carried out.

Sanitary Committee.

Oldmosah Badgur to whom was referred the following petition with power

Regular Meeting Thursday Sept 25/05

to act, reported that the matter had been settled by the petitioner agreeing to connect with the sewer.

El Paso, Texas. Sept 7/05

To the Hon. Mayor & City Council
of the City of El Paso, Texas.
Gentlemen -

The undersigned is now engaged in the construction of a building at the foot of Santa Fe St, for the use of the Immigration officials of the Federal Government at this place: by consultation with your City Engineer it is found that sewerage connection with the city sewer is impracticable petition for the reason that the grade of the sewer is higher J.S. Book than the grade of the building, and the only practicable connect way to dispose of the sewerage from the building with sewer would be to run it into a cesspool to be maintained on the premises; this cess pool can be so constructed as not to become offensive, and permission to construct and maintain the same is required.

The only other solution of the difficulty would be a pipe line elevated at the building, above the grade at the point of connection with the sewer but to do this it is thought that the elevated line from the building to the sewer would interfere with the property and rights of others.

I therefore respectfully request that this application be referred to the appropriate Committee in conjunction with the City Engineer with power to act.

(Signed)

Very respectfully
Jas. S. Book.

By Leigh Clark his attorney
Chairman Board to whom was referred
the following petition presented same to the
Council without recommendation:

El. Paso, Texas, Sept 13/05
To the Hon. Mayor & City Council
of the City of El-Paso, Texas.

Regular Meeting Thursday Sept 26/05-

✓ Gentlemen -

I respectfully request your indulgence in presenting the following for your consideration:

It has been the pleasure of the authorities to retain me in service since November, 1898, as Superintendent of the City's Smallpox Hospital. During the period of my service several Petition hundreds of cases of smallpox have been in J.J. Connors my care, and it has been my aim and effort to raise to be of full value to you and I am sure that in salary. I have been conscientious in the performance of my duties.

Within the period of my service our City has grown and increased in population, and our peculiar relation to all adjacent country is such that now my work ^{at} your behalf has increased to such an extent that I feel it due me to ask you to give the subject of my salary your consideration.

I believe you will see proper to increase my salary.

I thank you sincerely for the help you have always given me in my work and the confidence you have reposed in me, and remain

Very respectfully & faithfully yours.

(Signed)

J. J. Connors.

After some discussion as to the right of the Council to take action on the above, it was finally decided to grant the petitioner a raise of \$5⁰⁰ per month, and a motion to that effect was duly made, seconded and carried.

Ordinance & Rules Committee.

Chairman Lusk introduced an ordinance granting unto the Athesinsky Co. the right to construct a side track on Main St. and moved H. Lesinsky its adoption. The motion having been duly seconded the Mayor ordered the vote upon the side track adoption of the ordinance to be taken by roll call, which when taken resulted as follows:

Regular Meeting Thursday Sept 26th 18-

Present: Badger, Caples, Jewel, Grauch, Hammert,
Hitt, Sook, & Raud. (8). Absent, none. Keys, none

Whereupon Mayor Davis declared that a majority of the vote of the City Council being in favor of the ordinance the same be and is hereby adopted.

The ordinance above referred to is in word and figures as follows, to-wit:

Be it ordained by the City Council of the City of El Paso;

Section 1. That there be and there is hereby granted unto the St. L. S. Co. the right to build, construct and maintain a side track or spur track, to lead from the main track of the G. H. & S. A. Ry Co; subject to the conditions herein imposed, as follows:

To begin at a point on Main St south of Block 49 Miles, as shown on the accompanying map; thence along said Main St easterly four hundred and fifty feet, more or less, to the westerly line of Santa Fe Street.

Section 2. Said side track or spur is to be laid, built and constructed under the supervision of and to the satisfaction of the City Engineer of the City of El Paso, and this franchise or permit is granted upon the express condition that the said, the St. L. S. Co., its successors and assigns, shall and will always maintain and keep said track and spur and two feet of ground on each side of the track in a safe and convenient condition for street purposes, so as to allow of and to secure easy and safe approach to same, and safe and convenient passage along and over same for the use of the public; and when the City of El Paso shall grade, pave or otherwise improve said street, the said St. L. S. Co., shall, at its own expense likewise and in like manner and at the same time grade, pave and improve that portion of said street so occupied by said track, and failure to comply with any one or more of these conditions

Regular Meeting Thursday Sept 24/05

after ten days notice, shall at the option of the City Council of the City of El Paso cause this franchise or permit to become annulled, forfeited and ended, and all rights thereunder to cease and determine; and in the event the City of El Paso shall have the right to forthwith remove said track.

Section 3 This franchise or permit is granted upon the further express condition that the City Council of the City of El Paso shall have and it hereby reserves the right to revoke the franchise and permit herein granted, whenever in the judgment of said City Council it is proper to do so, and upon the passage of a resolution by the City Council declaring said side-track a nuisance or obstruction to the use of said street it shall have the right to forthwith remove the same or cause same to be removed by the Chief of Police.

Section 4. This ordinance shall take effect and be in force from and after its passage and approval.

Passed and adopted this 28th day of September¹⁹⁰⁵ and approved this day of September, 1905 (Profile maps attached)

Attest: Signed Chas. Davis, Mayor.

Signed Percy McShee, City Clerk.

By A.H. Dedham, Dep.

An Ordinance relative ^{to} Ordinance Cement sidewalks was read by the Clerk, Sidewalk and on motion made and duly seconded Referred. the same was referred to Ordinance Committee.

Finance Committee

Chairman Read read the following Bills for the month of August, and recommended that they be allowed and ordered paid for Aug.

Street & Grade Payroll

wk ending Sept 21/05

337.50

" " "

" " " 28/05

330.00

Regular Meeting Thursday Sept 25/05-

Street Dept Pomeroy Transfer Co.
 Dan Kelly
 J. H. Bennett
 Major & Jewel
 A. P. Coles & Bros.
 West Texas Saddlery Co.
 Krakenes Jooste & Maye
 R. D. Rieker
 Burton Lining Co.
Sewer Fund Tom Mines
 J. H. Bennett
 Gus Monson & C
 J. F. Hollend.
 Pomeroy Transfer Co.
Special Fund Tom Spivey
 Kelly & Pollard.
 N.B. Stevens
 Pomeroy Transfer Co.
 Ellis Bros.
General Fund International Water Co
 " Light & Power Co.
 Kelly & Pollard.
 Fire Department bills
 El Paso Evening News
 " " "
 J. G. Aldrete, Mgr
 Ellis Bros.
 " "
 " "
 Inter. Light & Power Co.
 " " "
 Major & Jewel
 Howard McPhetridge
 Stelle & Schneider
 Kelly & Pollard
 Consumers Ice Co.
 Jarrett & Kelly
 J.B. Larazola
 Grayson Drug Co.
 Pomeroy Transfer Co.

Shoeing, H & B. & Spurking	95.50
Powder caps	67.00
Blacksmithing	20.90
Feed	25.95
Dirt & hauling	40.50
Supplies	2.15
"	58.45
Plumbing	77.50
Lumber	66
Supplies and repairs	25.10
Blacksmithing	13.85
Supplies	15.00
Stakes	7.50
Hauling pipe	7.00
Towel service at Police Station	2.00
Drugs " " "	1.25
Premiums on official Bonds	228.75
Horse & B. Health Dept	15.00
Supplies Police Dept	23.90
Water for hydrants flush tanks etc	1419.50
145 street arc lights	101.500
Drugs at Hospital	10.570
Miscellaneous (listed)	213.71
Printing official notices, etc	120.40
" " " " "	33.92
Park Concerts	240.00
Stationery supplies	18.40
" "	24.35
" "	12.50
Sights at jail	17.36
" " City Hall	10.60
Feed & fuel at Post House	33.05
Groceries " "	51.05
Meat " "	13.55
Drugs " "	28.40
Ice & water City Hall	133.0
Supplies " "	21.25
10 days Sept salary	333.33
Supplies, City Hall	4.00
Horseshoeing Post House	2.00

Regular Meeting Sept 20/05-

El Paso Ice & Reg. Co.	Ice at Pest House	
Stone Stables	Hact. of Geo. Lusk	675
Kelly & Pollard	Drugs for Sanitary Dep't	400
Contingent Tom Spivey	Jewel Service City Hall	555
		75

To protect the City of El Paso to the amount of $\frac{45}{50}$, which sum was allowed to A. P. Apparition Coles & Bros for filling in on unknown property, to fill in block 101 Campbell Add. It was moved and duly seconded that the city enclose said property with a two-wire fence. The motion carried.

Clerk read the following report:

El Paso, Texas, Sept 21/05-

To the Hon. Mayor & City Council
El Paso, Texas.

Gentlemen-

I beg to report the following warrants which have been drawn to pay interest on outstanding bonds:

Funded Indebtedness bonds (1890) 6 mos interest

to Sept 1, 1905, on \$16,000 at 6% \$ 480.00

Exchange on above (Special fund) 1.20

Respectfully submitted

(Signed) Percy W. Shee, City Clerk.

By H. D. Gedham Dep,

Clerk read the following supplemental cash report for the month of August.

El Paso, Texas, Sept 21/05-

To the Hon. Mayor & City Council
of El Paso, Texas.

Gentlemen-

I beg to make the following supplemental cash reports of cash receipts for the month of August:

Rent & fumigation from N.B. Miner & S. Anderson. \$ 23.00

Refund from County % Entertainment Cong. Party 133.93

El Paso Electric Supply Co license 25.00

By way of explanation desire to say that the Deputy Clerk was not thoroughly familiar with the entries on the cash book when

Regular Meeting, Thursday Sept 20th -

making up a report submitted last Thursday night and supposed the above amounts had already been reported upon.

The report of \$3⁷⁵ August cash receipts at the last meeting of the Council erroneously included an item of \$4⁰⁰ which is also included in the item of \$23⁰⁰ in the supplemental report herewith submitted.

Attached hereto are Treasurer's receipts covering the amounts herein reported upon. I also respectfully request a refund of \$4⁰⁰ excess cash paid to the City Treasurer as shown above,

Respectfully submitted

(Signed):

Perry M^o Ghee, City Clerk

By H. L. Oldham, dep.

On motion made and carried the two above reports were ordered received and filed and the refund of \$4⁰⁰ was allowed the Clerk.

Clerk read report of City Electrician for

Report of the month of August, showing 36 permits issued and \$35⁶⁰ collected and turned over to City Treasurer.

Electrician On motion made and carried the report was ordered received and filed.

Report

Clerk read report of Chief of Police for the Chief Police month of August and on motion made and carried same was referred to Police Com.

Communications.

Petition C.

Brown Clerk read petition from Clarence N Brown relative to quit claim deed to certain lots in quit claim Block 16 Alexander Addition. On motion made deed. and carried said petition was referred to City Atty.

A communication was read by the Clerk from the Chamber of Commerce, advocating an independent census of the City, to which was Chamber of commerce considerable correspondence and official data from the Census Bureau at Washington D.C. New Census.

Petition On motion made and carried the same was referred to the Police Committee.

Hawk of

Stewart It. et al. in regard to the condition of Stewart

Clerk read a petition from M. Hawk,

Regular Meeting Thursday Sept 28/05

street was on motion duly seconded referred to Street & Grade Committee.

Petition regard to condition of S.P. ditch on Main St J.H. Phillips on behalf of lots, was read by Clerk and on motion made carried was referred to Street and Grade Committee.

Petition J.H. Irish et al asking for sewer extension. On motion for sewer, made and carried same was referred to Sanitary Committee.

Petition signed by Ardoin Bros. H.H. Russell, et al asking that the City Pest house Ardoin Bros. be removed to some point more remote from to move city, was read by the Clerk. On motion made Pest House, and carried same was referred to Sanitary Com.

Petition Chas. Pomeroy asking for a reduction of taxes. On Chas. Pomeroy motion made and carried same was referred reduction to Taxation Committee.

Texas. Clerk read a petition from Alejandro del Petition Hiers asking permission to operate corn mill Hiers to at 213 Seventh St. On motion made and carried operate company was referred to Fire & Water Committee Mill.

Clerk read the following:

El Paso, Texas. Sept 28/05-

To the Hon. Mayor & Members of the
City Council.

Gentlemen -

I hereby withdraw my application
for the position of Inspector of Plumbing.
Respectfully,

(Signed)

W.H. D. Merrile

On motion made & carried the above was ordered received and filed.

Unfinished Business.

It was moved and seconded that action be taken on the matter of selecting an Inspector of Plumbing and the same carried. Applications from the following were then read by the

Regular Meeting Thursday Sept 26/05-

the Clerk: W. A. McCarthy, M. P. Maloney and Applications V. E. Lubhorn. Mayor Davis announced to the for Plumbing Council to prepare their ballots on the combination Inspector, dates above named for the position of Plumbing Inspector.

The first ballot resulted as follows: M. P. Maloney, 2 votes, W. A. McCarthy, 2 votes, V. E. Lubhorn, 4 votes. Whereupon Mayor Davis declared that no one Balloting candidate having received a majority of all the votes for plumbing cast that there was no election. The second & third ballots Inspector were practically the same as the first. The fourth ballot resulted as follows: M. P. Maloney 4 votes, V. E. Lubhorn, 4 votes. Mayor Davis announced that he would not cast the deciding vote until he had looked into the qualifications of the two candidates.

New Business.

The question of electing a Corporation Clerk to fill the vacancy caused by the resignation of Juan B. Sarozola, was brought up and the Clerk Applications lead applications from the following for the for Corporation position: W. W. Swearerger, P. A. Caudelaria, Jas. M. Dwyer, Geo. E. Stevenson, Chas. B. Gaal. Mayor Davis then announced that the Council would proceed to ballot upon the candidates above named.

The first ballot resulted as follows: Jas. M. Dwyer, 4 votes, Chas. B. Gaal, 4 votes. There being a tie, Mayor Davis cast the deciding vote for Jas. M. Dwyer and declared him duly elected to the position of Corporation Clerk.

There being no further business Council adjourned.

Approved,

Percy M. Ghee, City Clerk.

Charles Davis By H. L. Dedham Dep.

Mayor